

FIRST PRINT

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Public Finance and Audit (Amendment) Bill 1987.

The object of this Bill is to amend certain Acts—

- (a) with respect to the annual reporting requirements of Departments and statutory bodies;
- (b) to abolish the Ambulance Services Fund established under the Ambulance Services Act 1976;
- (c) to abolish the Hospital Fund established under the Public Hospitals Act 1929; and
- (d) as a consequence of the enactment of the proposed Public Finance and Audit (Amendment) Act 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act. The provisions relating to the abolition of the Ambulance Services Fund and the Hospital Fund are deemed to have commenced on 1 July 1986.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

Clause 4 is a transitional provision which continues the operation of the Ambulance Services Fund and the Hospital Fund in respect of money in those funds immediately before 1 July 1986.

Schedule 1 provides for the amendment of certain Acts. Those Acts and the effect of the amendments are as follows:

Section 10 of the Ambulance Services Act 1976 is omitted to abolish the Ambulance Services Fund. Money that was previously paid into that Fund will now be paid into the Consolidated Fund because of section 39 of the Constitution Act 1902.

Sections 13 and 14 of the Annual Reports (Departments) Act 1985 are amended to provide that annual reports of Departments which are presented to the Clerk of a House of Parliament when that House is not sitting may be printed and shall be recorded in the Minutes of the Proceedings or the Votes and Proceedings, as the case may be, of that House of Parliament.

Section 16 of the Annual Reports (Departments) Act 1985 is amended to increase from 6 weeks to 3 months the time within which a Department Head may apply for an extension of time for the preparation and submission of the annual report of the Department.

Sections 11 and 12 of the Annual Reports (Statutory Bodies) Act 1984 are amended to provide that annual reports of statutory bodies which are presented to the Clerk of a House of Parliament when that House is not sitting may be printed and shall be recorded in the Minutes of the Proceedings or the Votes and Proceedings, as the case may be, of that House of Parliament.

Section 13 of the Annual Reports (Statutory Bodies) Act 1984 is amended to increase from 6 weeks to 3 months the time within which a statutory body may apply for an extension of time for the preparation and submission of its annual report.

Section 11 and Part III of the Public Hospitals Act 1929 are amended to abolish the Hospital Fund. Money that was previously paid into that Fund will now be paid into the Consolidated Fund because of section 39 of the Constitution Act 1902.

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT BILL 1987**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of certain Acts
4. Transitional provisions

SCHEDULE 1—AMENDMENTS

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend certain Acts with respect to the accounts and annual reports of Departments and statutory bodies; and for other purposes.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5 Short title

1. This Act may be cited as the "Miscellaneous Acts (Public Finance and Audit) Amendment Act 1987".

Commencement

2. (1) Except as provided by this section, this Act shall commence on
10 the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence, or be deemed to have commenced, on the day on which the provision commences.

(3) Section 4 and so much of Schedule 1 as relates to the Ambulance
15 Services Act 1976 and the Public Hospitals Act 1929 shall be deemed to have commenced on 1 July 1986.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended in the manner set forth in that Schedule.

20 Transitional provisions

4. (1) Section 10 of the Ambulance Services Act 1976, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Ambulance Services Fund as at 30 June 1986.

25 (2) Section 11 and Part III of the Public Hospitals Act 1929, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Hospital Fund as at 30 June 1986.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1

(Sec. 3)

AMENDMENTS

Ambulance Services Act 1976 No. 72—5 Section 10 (**Ambulance Services Fund**)—

Omit the section.

Annual Reports (Departments) Act 1985 No. 156—(1) Section 13 (**Presentation of annual report to Parliament**)—

Section 13 (2), (3)—

10 Omit the subsections, insert instead:

(2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

15 (a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

20 (d) be recorded—

(i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly,

25 on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 14 (**Public availability of annual reports**)—

30 Omit “laid before both Houses of Parliament in accordance with section 13 (1) or copies of the annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 13 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 13”.

(3) Section 16 (**Application for extension of time**)—

Section 16 (1)—

35 Omit “6 weeks”, insert instead “3 months”.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
AMENDMENTS—*continued*

Annual Reports (Statutory Bodies) Act 1984 No. 87—

(1) Section 11 (**Presentation of annual report to Parliament**)—

Section 11 (2), (3)—

Omit the subsections, insert instead:

5 (2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

10 (a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

(d) be recorded—

15 (i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly,

20 on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 12 (**Public availability of annual reports**)—

25 Omit “laid before both Houses of Parliament in accordance with section 11 (1) or copies of its annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 11 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 11”.

(3) Section 13 (**Application for extension of time**)—

Section 13 (1)—

Omit “6 weeks”, insert instead “3 months”.

30 **Public Hospitals Act 1929 No. 8—**

(1) Section 11 (**Powers and duties of Secretary as to inquiries and inspections**)—

Section 11 (1) (e), (1A)—

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*

AMENDMENTS—*continued*

Omit “the Hospital Fund” wherever occurring, insert instead “money appropriated from the Consolidated Fund”.

(2) Part III, heading—

Omit “HOSPITAL FUND.”, insert instead “FINANCE”.

5 (3) Section 17 (**Finance**)—

(a) Section 17 (1), (2), (3), (4)—

Omit the subsections.

(b) Section 17 (5)—

10 Omit “out of the Hospital Fund to each area health service and hospital”, insert instead “to each area health service and hospital out of money appropriated from the Consolidated Fund”.

(c) Section 17 (5) (a)—

Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

15 (d) Section 17 (6)—

Omit “out of the Hospital Fund to each associated organisation”, insert instead “to each associated organisation out of money appropriated from the Consolidated Fund”.

(e) Section 17 (7) (b)—

20 Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

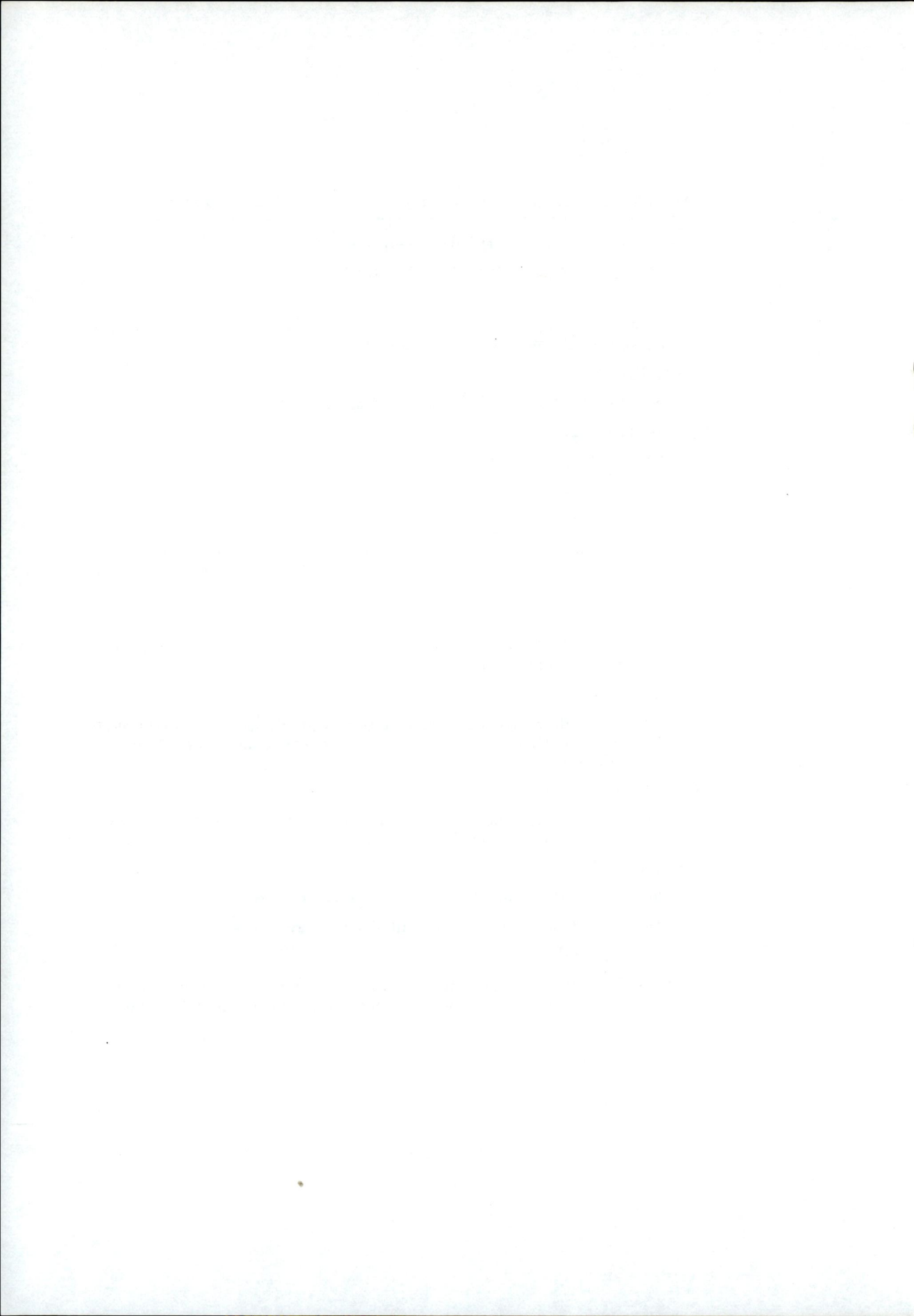
(f) Section 17 (7)—

Omit “from the Hospital Fund” where secondly occurring.

(4) Section 17A (**Agreement by separate institution to repay sums**)—

25 Section 17A (1)—

Omit “from the Hospital Fund to a separate institution”, insert instead “to a separate institution out of money appropriated from the Consolidated Fund”.







**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT ACT 1987 No. 36**

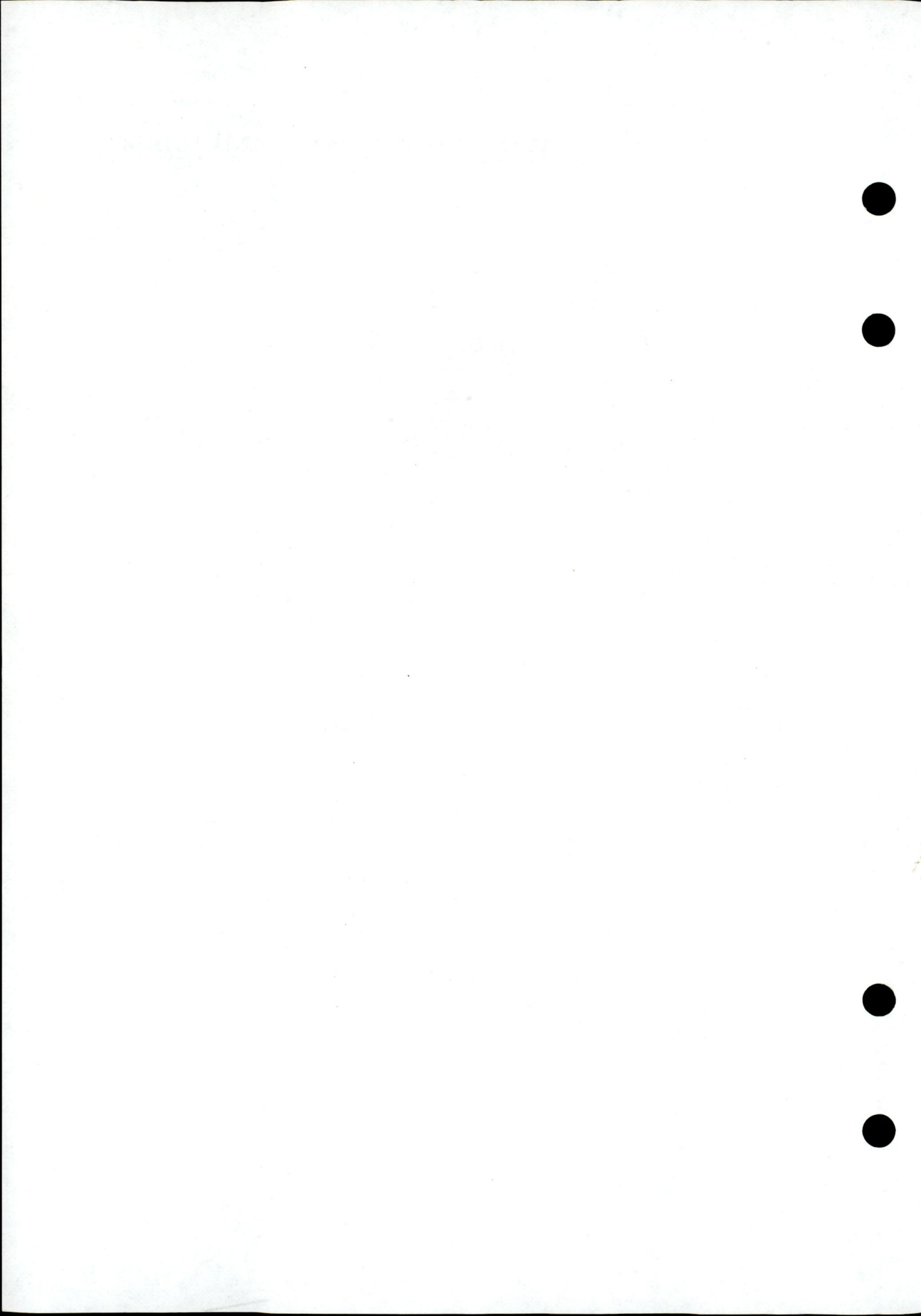
NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of certain Acts
4. Transitional provisions

SCHEDULE 1—AMENDMENTS



**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)
AMENDMENT ACT 1987 No. 36**

NEW SOUTH WALES



Act No. 36, 1987

An Act to amend certain Acts with respect to the accounts and annual reports of Departments and statutory bodies; and for other purposes.
[Assented to 15 May 1987]

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Miscellaneous Acts (Public Finance and Audit) Amendment Act 1987".

Commencement

2. (1) Except as provided by this section, this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence, or be deemed to have commenced, on the day on which the provision commences.

(3) Section 4 and so much of Schedule 1 as relates to the Ambulance Services Act 1976 and the Public Hospitals Act 1929 shall be deemed to have commenced on 1 July 1986.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended in the manner set forth in that Schedule.

Transitional provisions

4. (1) Section 10 of the Ambulance Services Act 1976, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Ambulance Services Fund as at 30 June 1986.

(2) Section 11 and Part III of the Public Hospitals Act 1929, as in force immediately before 1 July 1986, shall, notwithstanding this Act, continue to apply to and in respect of such money as was deposited to the credit of the Hospital Fund as at 30 June 1986.

SCHEDULE 1

(Sec. 3)

AMENDMENTS

Ambulance Services Act 1976 No. 72—**Section 10 (Ambulance Services Fund)—**

Omit the section.

Annual Reports (Departments) Act 1985 No. 156—**(1) Section 13 (Presentation of annual report to Parliament)—****Section 13 (2), (3)—**

Omit the subsections, insert instead:

(2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

(a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

(d) be recorded—

(i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly,

on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 14 (Public availability of annual reports)—

Omit “laid before both Houses of Parliament in accordance with section 13 (1) or copies of the annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 13 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 13”.

(3) Section 16 (Application for extension of time)—**Section 16 (1)—**

Omit “6 weeks”, insert instead “3 months”.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
 AMENDMENTS—*continued*

Annual Reports (Statutory Bodies) Act 1984 No. 87—

(1) Section 11 (**Presentation of annual report to Parliament**)—

Section 11 (2), (3)—

Omit the subsections, insert instead:

(2) If a House of Parliament is not sitting when the appropriate Minister seeks to comply with subsection (1), the appropriate Minister shall present copies of the annual report to the Clerk of the House of Parliament.

(3) An annual report presented to the Clerk of a House of Parliament shall—

(a) on presentation and for all purposes, be deemed to have been laid before the House of Parliament;

(b) be printed by authority of the Clerk of the House;

(c) for all purposes be deemed to be a document published by order or under the authority of the House; and

(d) be recorded—

(i) in the case of the Legislative Council—in the Minutes of the Proceedings of the Legislative Council; or

(ii) in the case of the Legislative Assembly—in the Votes and Proceedings of the Legislative Assembly,

on the first sitting day of the House after receipt of the annual report by the Clerk.

(2) Section 12 (**Public availability of annual reports**)—

Omit “laid before both Houses of Parliament in accordance with section 11 (1) or copies of its annual report have been transmitted to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in accordance with section 11 (2)”, insert instead “laid, or is deemed to have been laid, before both Houses of Parliament in accordance with section 11”.

(3) Section 13 (**Application for extension of time**)—

Section 13 (1)—

Omit “6 weeks”, insert instead “3 months”.

Public Hospitals Act 1929 No. 8—

(1) Section 11 (**Powers and duties of Secretary as to inquiries and inspections**)—

Section 11 (1) (e), (1A)—

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
AMENDMENTS—*continued*

Omit “the Hospital Fund” wherever occurring, insert instead “money appropriated from the Consolidated Fund”.

(2) Part III, heading—

Omit “HOSPITAL FUND.”, insert instead “FINANCE”.

(3) Section 17 (**Finance**)—

(a) Section 17 (1), (2), (3), (4)—

Omit the subsections.

(b) Section 17 (5)—

Omit “out of the Hospital Fund to each area health service and hospital”, insert instead “to each area health service and hospital out of money appropriated from the Consolidated Fund”.

(c) Section 17 (5) (a)—

Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

(d) Section 17 (6)—

Omit “out of the Hospital Fund to each associated organisation”, insert instead “to each associated organisation out of money appropriated from the Consolidated Fund”.

(e) Section 17 (7) (b)—

Omit “from the Hospital Fund”, insert instead “out of money appropriated from the Consolidated Fund”.

(f) Section 17 (7)—

Omit “from the Hospital Fund” where secondly occurring.

Miscellaneous Acts (Public Finance and Audit) Amendment 1987

SCHEDULE 1—*continued*
AMENDMENTS—*continued*

(4) Section 17A (**Agreement by separate institution to repay sums**)—

Section 17A (1)—

Omit “from the Hospital Fund to a separate institution”, insert instead “to a separate institution out of money appropriated from the Consolidated Fund”.