



New South Wales

Appropriation Act 2006 No 46

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New South Wales

Appropriation Act 2006 No 46

Act No 46, 2006

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. [Assented to 20 June 2006]

See also *Appropriation (Parliament) Act 2006*, *Appropriation (Special Offices) Act 2006*, *Duties Amendment (Abolition of State Taxes) Act 2006* and *State Revenue and Other Legislation Amendment (Budget Measures) Act 2006*.

Section 1 Appropriation Act 2006 No 46

Part 1 Preliminary

The Legislature of New South Wales enacts:

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 | <u>375,703</u> |

- (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> |

Section 9 Appropriation Act 2006 No 46

Part 2 Appropriations out of the Consolidated Fund

- (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 | <u>8,571,130</u> |

- (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 | 388 |

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 | 6,630 |

(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 | 70 |

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 | 9,632,113 |

Section 15 Appropriation Act 2006 No 46

Part 2 Appropriations out of the Consolidated Fund

- (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

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 | <u>1,390,724</u> |

- (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 |
| Total, Capital Works and Services | 150 |

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 |
| Total, Recurrent Services | <u>840,925</u> |

- (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 |
| Total, Capital Works and Services | <u>29,555</u> |

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 |
| Total, Recurrent Services | <u>65,786</u> |

- (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 |
| Total, Capital Works and Services | <u>4,164</u> |

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 |
| Total, Recurrent Services | <u>1,932,084</u> |

Section 21 Appropriation Act 2006 No 46

Part 2 Appropriations out of the Consolidated Fund

- (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 |
| Total, Capital Works and Services | <u>106,131</u> |

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 |
| Total, Recurrent Services | <u>1,412,889</u> |

- (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 |
| Total, Capital Works and Services | <u>1,524,912</u> |

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 |
| Total, Recurrent Services | <u>36,871</u> |

- (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 |
| Total, Capital Works and Services | <u>13,111</u> |

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 |
| Total, Recurrent Services | <u>3,357,909</u> |

Section 24 Appropriation Act 2006 No 46

Part 2 Appropriations out of the Consolidated Fund

- (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 |
| Total, Capital Works and Services | <u>11,781</u> |

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 |
| Total, Recurrent Services | <u>4,344,666</u> |

- (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 |
| Total, Capital Works and Services | <u>281,268</u> |

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 | <hr style="border: 0.5px solid black;"/> 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.

[Second reading speech made in—
Legislative Assembly on 6 June 2006
Legislative Council on 7 June 2006]

BY AUTHORITY