



New South Wales

# Appropriation Act 2011 No 42

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New South Wales

## **Appropriation Act 2011 No 42**

Act No 42, 2011

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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 2011–12; and for other purposes. [Assented to 20 September 2011]

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See also *Duties Amendment (First Home—New Home) Act 2011*.

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Section 1          Appropriation Act 2011 No 42

Part 1             Preliminary

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**The Legislature of New South Wales enacts:**

## **Part 1   Preliminary**

### **1   Name of Act**

This Act is the *Appropriation Act 2011*.

### **2   Commencement**

This Act commences on the date of assent to this Act.

### **3   Interpretation**

(1) In this Act:

*Supply Act* includes the supply provisions of the *Appropriation (Supply and Budget Variations) Act 2011*.

(2) In this Act, a reference to the year 2011–12 is a reference to the year from 1 July 2011 to 30 June 2012.

### **4   Expenses and capital expenditure information**

(1) A note included in this Act that is described as “expenses” sets out the expenses for the recurrent services of the body for which an appropriation is made by this Act, disaggregated across the relevant service groups.

(2) A note included in this Act that is described as “capital expenditure” sets out the expenditure on capital works and services of the body for which an appropriation is made by this Act, disaggregated across the relevant service groups.

(3) A note referred to in subsection (1) or (2) is included for information only and does not form part of this Act.

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## **Part 2 Appropriation (Departments)**

### **Division 1 General appropriation**

#### **5 General appropriation from Consolidated Fund 2011–12 for recurrent services (Departments)**

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 7–18, as 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 recurrent services for the year 2011–12.
- (2) The total sum appropriated out of the Consolidated Fund for recurrent services for the year 2011–12 in accordance with the provisions of sections 7–18 is the sum of \$52,739,005,000.
- (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 2011 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 7–18, as may be determined by the Treasurer.

#### **6 General appropriation from Consolidated Fund 2011–12 for capital works and services (Departments)**

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 7–18, as 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 2011–12.
- (2) The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2011–12 in accordance with the provisions of sections 7–18 is the sum of \$6,522,200,000.
- (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 2011 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 7–18, as may be determined by the Treasurer.

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**Division 2 Attorney General and Justice**

**7 Department of Attorney General and Justice**

**(1) Recurrent appropriation**

The sum of \$4,979,841,000 is appropriated to the Attorney General and Minister for Justice for the recurrent services of the Department of Attorney General and Justice.

**Note (expenses):** This recurrent appropriation will fund expenses of \$5,537,898,000, disaggregated as follows:

	<b>\$,000</b>
01 Legal, Policy and Regulatory Services	57,154
02 Court Services	450,427
03 Court Support Services	95,361
04 Crime Prevention and Community Services	119,975
05 Registry of Births, Deaths and Marriages	23,924
06 Crown Solicitor's Office	54,826
07 Business and Personnel Services	59,980
08 Custody Management	763,472
09 Supervision of Offenders in the Community	158,069
10 Offenders Program	161,090
11 Community Based Services	70,405
12 Juvenile Custodial Services	130,602
13 Cluster Grant Funding	3,392,613
Total	<u>5,537,898</u>

(2) **Capital appropriation**

The sum of \$173,209,000 is appropriated to the Attorney General and Minister for Justice for the capital works and services of the Department of Attorney General and Justice.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$180,282,000, disaggregated as follows:

	<b>\$,000</b>
01 Legal, Policy and Regulatory Services	1,512
02 Court Services	19,101
03 Court Support Services	2,288
04 Crime Prevention and Community Services	1,315
05 Registry of Births, Deaths and Marriages	9,767
06 Crown Solicitor's Office	1,550
07 Custody Management	99,066
08 Community Based Services	6,566
09 Juvenile Custodial Services	39,117
Total	180,282

**Division 3 Education and Communities**

**8 Department of Education and Communities**

(1) **Recurrent appropriation**

The sum of \$11,679,254,000 is appropriated to the Minister for Education for the recurrent services of the Department of Education and Communities.

**Note (expenses):** This recurrent appropriation will fund expenses of \$13,764,039,000, disaggregated as follows:

	<b>\$,000</b>
01 Early Childhood Education Services	278,740
02 Primary Education Services in Government Schools	5,189,724



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Part 2 Appropriation (Departments)

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		<b>\$,000</b>
03	Secondary Education Services in Government Schools	4,729,439
04	Non-Government Schools	915,529
05	TAFE NSW and Community Education	1,825,602
06	Vocational Education and Training	395,998
07	Sport and Recreation Services	133,240
08	Support Aboriginal Culture and Community Resilience	22,872
09	Citizenship and Communities	57,477
10	Personnel Services	27,528
11	Cluster Grant Funding	187,890
	Total	<u>13,764,039</u>

(2) **Capital appropriation**

The sum of \$694,184,000 is appropriated to the Minister for Education for the capital works and services of the Department of Education and Communities.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$752,242,000, disaggregated as follows:

		<b>\$,000</b>
01	Primary Education Services in Government Schools	414,493
02	Secondary Education Services in Government Schools	225,764
03	TAFE NSW and Community Education	98,149
04	Sport and Recreation Services	11,953
05	Support Aboriginal Culture and Community Resilience	84
06	Citizenship and Communities	1,799
	Total	<u>752,242</u>

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## Division 4      Family and Community Services

### 9    Department of Family and Community Services

#### (1)    Recurrent appropriation

The sum of \$4,792,042,000 is appropriated to the Minister for Family and Community Services and Minister for Women for the recurrent services of the Department of Family and Community Services.

**Note (expenses):** This recurrent appropriation will fund expenses of \$5,255,782,000, disaggregated as follows:

	<b>\$,000</b>
01    Community Support for People with a Disability, their Family and Carers	1,222,317
02    Short-term Interventions for People with a Disability, their Family and Carers	386,053
03    Supported Accommodation for People with a Disability	1,192,637
04    Community Development and Support	283,417
05    Child, Youth and Family Prevention and Early Intervention Services	168,631
06    Statutory Child Protection	424,775
07    Out-of-Home Care	700,331
08    Housing Policy and Assistance	801,436
09    Shared Services–Businesslink	76,185
Total	5,255,782

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Part 2 Appropriation (Departments)

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(2) **Capital appropriation**

The sum of \$120,919,000 is appropriated to the Minister for Family and Community Services and Minister for Women for the capital works and services of the Department of Family and Community Services.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$120,919,000, disaggregated as follows:

	<b>\$,000</b>
01 Community Support for People with a Disability, their Family and Carers	6,827
02 Short-term Interventions for People with a Disability, their Family and Carers	9,649
03 Supported Accommodation for People with a Disability	65,900
04 Community Development and Support	1,249
05 Child, Youth and Family Prevention and Early Intervention Services	5,778
06 Statutory Child Protection	21,118
07 Out-of-Home Care	10,398
Total	<u>120,919</u>

## **Division 5 Finance and Services**

### **10 Department of Finance and Services**

(1) **Recurrent appropriation**

The sum of \$515,878,000 is appropriated to the Minister for Finance and Services and Minister for the Illawarra for the recurrent services of the Department of Finance and Services.

**Note (expenses):** This recurrent appropriation will fund expenses of \$1,478,775,000, disaggregated as follows:

	<b>\$,000</b>
01 Finance, Policy and Strategy	229,834
02 Government Services	413,910

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	<b>\$,000</b>
03 State Revenue	194,301
04 Fair Trading	168,161
05 Public Works	196,244
06 Land and Property Information	183,982
07 Personnel Services	92,343
Total	<u>1,478,775</u>

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**(2) Capital appropriation**

The sum of \$70,483,000 is appropriated to the Minister for Finance and Services and Minister for the Illawarra for the capital works and services of the Department of Finance and Services.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$394,035,000, disaggregated as follows:

	<b>\$,000</b>
01 Finance, Policy and Strategy	5,610
02 Government Services	333,781
03 State Revenue	18,866
04 Fair Trading	8,707
05 Public Works	6,571
06 Land and Property Information	20,500
Total	<u>394,035</u>

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**Division 6 Health**

**11 Department of Health**

**(1) Recurrent appropriation**

The sum of \$12,851,141,000 is appropriated to the Minister for Health and Minister for Medical Research for the recurrent services of the Department of Health.

**Note (expenses):** This recurrent appropriation and the appropriation under section 20 will fund expenses of \$16,420,946,000, disaggregated as follows:

	<b>\$,000</b>
01 Population Health Services	554,647
02 Primary and Community Based Services	1,186,912
03 Aboriginal Health Services	97,297
04 Outpatient Services	1,665,318
05 Emergency Services	1,767,349
06 Inpatient Hospital Services	7,728,235
07 Mental Health Services	1,340,004
08 Rehabilitation and Extended Care Services	1,265,395
09 Teaching and Research	805,608
10 Cluster Grant Funding	10,181
Total	<u>16,420,946</u>

**(2) Capital appropriation**

The sum of \$703,889,000 is appropriated to the Minister for Health and Minister for Medical Research for the capital works and services of the Department of Health.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$920,994,000, disaggregated as follows:

	<b>\$,000</b>
01 Primary and Community Based Services	12,289

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	<b>\$,000</b>
02 Outpatient Services	117,534
03 Emergency Services	63,120
04 Inpatient Hospital Services	493,631
05 Mental Health Services	113,829
06 Rehabilitation and Extended Care Services	103,174
07 Teaching and Research	17,417
Total	<u>920,994</u>

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## Division 7 Premier and Cabinet

### 12 Department of Premier and Cabinet

#### (1) Recurrent appropriation

The sum of \$922,868,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Department of Premier and Cabinet.

**Note (expenses):** This recurrent appropriation will fund expenses of \$1,683,292,000, disaggregated as follows:

	<b>\$,000</b>
01 NSW 2021 Plan Leadership and Support	4,137
02 Economic and Regional Coordination	21,583
03 Services and Capabilities Improvement	9,576
04 Policy Support	27,931
05 Administrative Support for Government	105,852
06 Communications and Advertising	5,400
07 Capacity Building, Oversight and Provision of Advice for Local Government	13,595
08 Pensioner Rebate Scheme	76,000
09 Companion Animals Program	6,437
10 Environment and Heritage, Policy and Programs	640,421
11 Environment Protection and Regulation	116,647

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Part 2            Appropriation (Departments)

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		<b>\$,000</b>
12	Country, Culture and Heritage	13,268
13	Parks and Wildlife	411,014
14	Scientific Services	48,741
15	Personnel Services	55,908
16	Cluster Grant Funding	126,782
	Total	<u>1,683,292</u>

(2) **Capital appropriation**

The sum of \$37,437,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Department of Premier and Cabinet.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$58,376,000, disaggregated as follows:

		<b>\$,000</b>
01	Policy Support	188
02	Administrative Support for Government	1,392
03	Capacity Building, Oversight and Provision of Advice for Local Government	145
04	Environment and Heritage, Policy and Programs	7,839
05	Environment Protection and Regulation	2,535
06	Country, Culture and Heritage	321
07	Parks and Wildlife	39,884
08	Scientific Services	6,072
	Total	<u>58,376</u>

## Division 8 Planning and Infrastructure

### 13 Department of Planning and Infrastructure

#### (1) Recurrent appropriation

The sum of \$102,482,000 is appropriated to the Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW for the recurrent services of the Department of Planning and Infrastructure.

**Note (expenses):** This recurrent appropriation will fund expenses of \$195,883,000, disaggregated as follows:

	<b>\$,000</b>
01 Strategies and Land Release	71,217
02 Plan Making and Urban Renewal	47,217
03 Development Assessment	44,376
04 Personnel Services	33,073
Total	<u>195,883</u>

#### (2) Capital appropriation

The sum of \$7,489,000 is appropriated to the Minister for Planning and Infrastructure and Minister Assisting the Premier on Infrastructure NSW for the capital works and services of the Department of Planning and Infrastructure.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$8,169,000, disaggregated as follows:

	<b>\$,000</b>
01 Strategies and Land Release	935
02 Plan Making and Urban Renewal	2,029
03 Development Assessment	5,205
Total	<u>8,169</u>



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**Division 9 Trade and Investment, Regional Infrastructure and Services**

**14 Department of Trade and Investment, Regional Infrastructure and Services**

**(1) Recurrent appropriation**

The sum of \$1,618,430,000 is appropriated to the Deputy Premier, Minister for Trade and Investment and Minister for Regional Infrastructure and Services for the recurrent services of the Department of Trade and Investment, Regional Infrastructure and Services.

**Note (expenses):** This recurrent appropriation will fund expenses of \$2,437,259,000, disaggregated as follows:

	<b>\$,000</b>
01 Trade, Business and Investment	221,753
02 Agriculture	174,245
03 Fisheries	85,586
04 Biosecurity	103,900
05 Water Management	254,681
06 Water Utilities	96,522
07 Catchments and Lands	366,372
08 Mineral Resources and Mine Safety	102,333
09 Energy Supply and Use	187,859
10 Tourism, Gaming and Arts	546,878
11 Personnel Services	261,439
12 Cluster Grant Funding	35,691
Total	<u>2,437,259</u>

**(2) Capital appropriation**

The sum of \$50,092,000 is appropriated to the Deputy Premier, Minister for Trade and Investment and Minister for Regional Infrastructure and Services for the capital works and services of the Department of Trade and Investment, Regional Infrastructure and Services.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$55,249,000, disaggregated as follows:

	<b>\$,000</b>
01 Trade, Business and Investment	113
02 Agriculture	11,471
03 Fisheries	5,469
04 Biosecurity	11,658
05 Water Management	2,290
06 Catchments and Lands	14,898
07 Mineral Resources and Mine Safety	305
08 Energy Supply and Use	650
09 Tourism, Gaming and Arts	8,395
Total	55,249

**Division 10 Transport****15 Department of Transport****(1) Recurrent appropriation**

The sum of \$9,712,165,000 is appropriated to the Minister for Transport for the recurrent services of the Department of Transport.

**Note (expenses):** This recurrent appropriation will fund expenses of \$9,796,488,000, disaggregated as follows:

	<b>\$,000</b>
01 Transport Infrastructure and Development	3,974,341
02 Integrated Transport Service Delivery	3,781,512

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Part 2            Appropriation (Departments)

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	<b>\$,000</b>
03    Integrated Transport Planning and Management	2,022,909
04    Cluster Grant Funding	17,726
Total	<u>9,796,488</u>

(2) **Capital appropriation**

The sum of \$218,595,000 is appropriated to the Minister for Transport for the capital works and services of the Department of Transport.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$366,449,000, as follows:

	<b>\$,000</b>
01    Transport Infrastructure and Development	366,449

## **Division 11    Treasury**

### **16    The Treasury**

(1) **Recurrent appropriation**

The sum of \$63,981,000 is appropriated to the Treasurer for the recurrent services of The Treasury.

**Note (expenses):** This recurrent appropriation will fund expenses of \$75,780,000, as follows:

	<b>\$,000</b>
01    State Resource Management	75,780

(2) **Capital appropriation**

The sum of \$385,000 is appropriated to the Treasurer for the capital works and services of The Treasury.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$385,000, as follows:

		<b>\$,000</b>
01	State Resource Management	385

**17 Crown Finance Entity**

(1) **Recurrent appropriation**

The sum of \$5,350,923,000 is appropriated to the Treasurer for the recurrent services of the Crown Finance Entity.

**Note (expenses):** This recurrent appropriation will fund expenses of \$5,210,685,000, disaggregated as follows:

		<b>\$,000</b>
01	Debt Liability Management	1,390,140
02	Superannuation Liability Management	1,475,494
03	Central Financial Services	2,345,051
	Total	5,210,685

(2) **Capital appropriation**

The sum of \$4,310,518,000 is appropriated to the Treasurer for the capital works and services of the Crown Finance Entity.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$500,000, as follows:

		<b>\$,000</b>
01	Central Financial Services	500

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Part 2            Appropriation (Departments)

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**18 Advance to the Treasurer**

(1) **Recurrent appropriation**

The sum of \$150,000,000 is appropriated to the Treasurer for the recurrent services of the Advance to the Treasurer.

(2) **Capital appropriation**

The sum of \$135,000,000 is appropriated to the Treasurer for the capital works and services of the Advance to the Treasurer.

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### **Part 3 Additional appropriation for health related services**

#### **19 Additional appropriation from Consolidated Fund 2011–12 for recurrent services**

- (1) Out of the Consolidated Fund there is appropriated the sum identified in section 20, 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 2011–12.
- (2) The total sum appropriated out of the Consolidated Fund in accordance with the provisions of this Part is the sum of \$246,000,000.
- (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 2011 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 20 as may be determined by the Treasurer.

#### **20 Special appropriation to Minister for Health—additional revenue from gaming machine taxes**

The sum of \$246,000,000 is appropriated to the Minister for Health for the recurrent services of the Department of Health.

## **Part 4    Appropriation (Special Offices)**

### **Division 1      General appropriation**

#### **21    Appropriation from Consolidated Fund 2011–12 for recurrent services (Special Offices)**

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 23–30, as 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 recurrent services for the year 2011–12.
- (2) The total sum appropriated out of the Consolidated Fund for recurrent services for the year 2011–12 in accordance with the provisions of sections 23–30 is the sum of \$285,001,000.
- (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 2011 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 23–30, as may be determined by the Treasurer.

#### **22    Appropriation from Consolidated Fund 2011–12 for capital works and services (Special Offices)**

- (1) Out of the Consolidated Fund there are hereby appropriated the sums identified in sections 23–30, as 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 2011–12.
- (2) The total sum appropriated out of the Consolidated Fund for capital works and services for the year 2011–12 in accordance with the provisions of sections 23–30 is the sum of \$14,202,000.
- (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 2011 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 23–30, as may be determined by the Treasurer.

## Division 2 Special Offices

### 23 Judicial Commission of New South Wales

#### (1) Recurrent appropriation

The sum of \$4,855,000 is appropriated to the Attorney General and Minister for Justice for the recurrent services of the Judicial Commission of New South Wales.

**Note (expenses):** This recurrent appropriation will fund expenses of \$5,694,000, as follows:

	<b>\$,000</b>
01 Education, Sentencing and Complaints	5,694

#### (2) Capital appropriation

The sum of \$150,000 is appropriated to the Attorney General and Minister for Justice for the capital works and services of the Judicial Commission of New South Wales.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$150,000, as follows:

	<b>\$,000</b>
01 Education, Sentencing and Complaints	150

### 24 Office of the Director of Public Prosecutions

#### (1) Recurrent appropriation

The sum of \$95,930,000 is appropriated to the Attorney General and Minister for Justice for the recurrent services of the Office of the Director of Public Prosecutions.

**Note (expenses):** This recurrent appropriation will fund expenses of \$109,995,000, disaggregated as follows:

	<b>\$,000</b>
01 Prosecutions	102,271



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Part 4            Appropriation (Special Offices)

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		<b>\$,000</b>
02	Victim and Witness Assistance	7,724
	Total	<u>109,995</u>

(2) **Capital appropriation**

The sum of \$1,814,000 is appropriated to the Attorney General and Minister for Justice for the capital works and services of the Office of the Director of Public Prosecutions.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$1,814,000, disaggregated as follows:

		<b>\$,000</b>
01	Prosecutions	1,715
02	Victim and Witness Assistance	99
	Total	<u>1,814</u>

**25 Independent Commission Against Corruption**

(1) **Recurrent appropriation**

The sum of \$20,508,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Independent Commission Against Corruption.

**Note (expenses):** This recurrent appropriation will fund expenses of \$23,535,000, as follows:

		<b>\$,000</b>
01	Corruption Investigation, Prevention, Research and Education	23,535

**(2) Capital appropriation**

The sum of \$4,983,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Independent Commission Against Corruption.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$7,070,000, as follows:

	<b>\$,000</b>
01 Corruption Investigation, Prevention, Research and Education	7,070

**26 Independent Pricing and Regulatory Tribunal****(1) Recurrent appropriation**

The sum of \$20,570,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Independent Pricing and Regulatory Tribunal.

**Note (expenses):** This recurrent appropriation will fund expenses of \$23,151,000, as follows:

	<b>\$,000</b>
01 Utilities Pricing, Regulation and Analysis and Policy Work	23,151

**(2) Capital appropriation**

The sum of \$180,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Independent Pricing and Regulatory Tribunal.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$180,000, as follows:

	<b>\$,000</b>
01 Utilities Pricing, Regulation and Analysis and Policy Work	180

**27    New South Wales Electoral Commission**

(1)    **Recurrent appropriation**

The sum of \$74,178,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the New South Wales Electoral Commission.

**Note (expenses):** This recurrent appropriation will fund expenses of \$81,795,000, as follows:

		<b>\$,000</b>
01	Conduct and Management of Elections	81,795

(2)    **Capital appropriation**

The sum of \$1,760,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the New South Wales Electoral Commission.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$1,760,000, as follows:

		<b>\$,000</b>
01	Conduct and Management of Elections	1,760

**28    Ombudsman's Office**

(1)    **Recurrent appropriation**

The sum of \$23,406,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Ombudsman's Office.

**Note (expenses):** This recurrent appropriation will fund expenses of \$25,548,000, as follows:

		<b>\$,000</b>
01	Complaint Resolution, Investigation, Oversight and Scrutiny	25,548

**(2) Capital appropriation**

The sum of \$219,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Ombudsman's Office.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$219,000, as follows:

	<b>\$,000</b>
01 Complaint Resolution, Investigation, Oversight and Scrutiny	219

**29 Police Integrity Commission****(1) Recurrent appropriation**

The sum of \$18,147,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Police Integrity Commission.

**Note (expenses):** This recurrent appropriation will fund expenses of \$20,457,000, as follows:

	<b>\$,000</b>
01 Investigations, Research and Complaint Management	20,457

**(2) Capital appropriation**

The sum of \$1,790,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Police Integrity Commission.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$1,790,000, as follows:

	<b>\$,000</b>
01 Investigations, Research and Complaint Management	1,790

**30 Public Service Commission**

(1) **Recurrent appropriation**

The sum of \$27,407,000 is appropriated to the Premier and Minister for Western Sydney for the recurrent services of the Public Service Commission.

**Note (expenses):** This recurrent appropriation will fund expenses of \$28,227,000, as follows:

		<b>\$,000</b>
01	Services and Capabilities Improvement	28,227

(2) **Capital appropriation**

The sum of \$3,306,000 is appropriated to the Premier and Minister for Western Sydney for the capital works and services of the Public Service Commission.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$3,306,000, as follows:

		<b>\$,000</b>
01	Services and Capabilities Improvement	3,306

- (3) If, on commencement of this Act, the Public Service Commission has not been established, a reference in this section to the Commission is taken to be a reference to the Department of Premier and Cabinet.

## Part 5 Appropriation (Parliament)

### 31 Appropriation for recurrent services (Parliament)

- (1) This Act appropriates the sum of \$116,599,000 to the Legislature out of the Consolidated Fund for the recurrent services of the Legislature for the year 2011–12.

**Note (expenses):** This recurrent appropriation will fund expenses of \$137,555,000, disaggregated as follows:

	<b>\$,000</b>
01 Chamber and Committee Support	18,156
02 Members' Support	111,970
03 Community Access	7,429
Total	<u>137,555</u>

- (2) 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 2011 and before the date of assent to this Act are taken to have been expended out of the sum appropriated by this section.

### 32 Appropriation for capital works and services (Parliament)

- (1) This Act appropriates the sum of \$8,636,000 to the Legislature out of the Consolidated Fund for the capital works and services of the Legislature for the year 2011–12.

**Note (capital expenditure):** This capital appropriation will fund capital expenditure of \$8,636,000, disaggregated as follows:

	<b>\$,000</b>
01 Chamber and Committee Support	778
02 Members' Support	6,303
03 Community Access	1,555
Total	<u>8,636</u>

Section 32      Appropriation Act 2011 No 42

Part 5          Appropriation (Parliament)

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- (2) Any amounts expended for capital works and services under section 25 of the *Public Finance and Audit Act 1983* or any Parliamentary Supply Act on or after 1 July 2011 and before the date of assent to this Act are taken to have been expended out of the sum appropriated by this section.

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## Part 6 General

### 33 Variation of authorised payments from Consolidated Fund

- (1) In this section, *purpose* means any purpose for which a sum is appropriated under this Act for recurrent services or for capital works and services.
- (2) Payment of a sum appropriated under this Act 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 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)–(7).
- (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) The total sum appropriated under Part 4 may only be paid out for the purposes specified in Part 4.
- (7) A sum appropriated under Part 5 may only be paid out for a purpose specified in Part 5.
- (8) This section does not apply to sums appropriated by another Act.
- (9) 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.
- (10) The Treasurer is to inform the Auditor-General of every authorisation given under this section.
- (11) An authorisation under this section may be given before or after the relevant payment is made.

### 34 Appointment of person to carry out the functions of the Treasurer under section 33

- (1) The Treasurer may appoint a person to carry out the Treasurer's functions under section 33.
- (2) Any such appointment is subject to such conditions (if any) as the Treasurer determines.



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Part 6          General

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- (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 33 (10) of informing the Auditor-General of every authorisation given by the person under section 33.

### **35 Delayed restructures**

- (1) Without limiting section 33, if the responsibility for a service or function for which an appropriation is made in this Act is transferred on or after the date of assent to this Act 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.

### **36 Tabling of Budget Papers**

- (1) If the Legislative Assembly is not sitting at the time when a Budget Paper for the year 2011–12 is sought to be tabled in the Legislative Assembly, a Minister may, for the purpose of complying with section 27AB of the *Public Finance and Audit Act 1983*, present the Budget Paper to the Clerk of the Legislative Assembly to be dealt with in accordance with section 63C of that Act.
- (2) Section 63C of the *Public Finance and Audit Act 1983* applies in relation to a Budget Paper that is presented to the Clerk of the Legislative Assembly under this section in the same way as it applies to a report presented to the Clerk of the Legislative Assembly under a provision of that Act.

[Agreement in principle speech made in Legislative Assembly on 6 September 2011

Second reading speech made in Legislative Council on 14 September 2011]

BY AUTHORITY