



New South Wales

Appropriation Act 2018 No 35

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New South Wales

Appropriation Act 2018 No 35

Act No 35, 2018

An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2018–19. [Assented to 27 June 2018]

See also the *Appropriation (Parliament) Act 2018*, the *State Revenue Legislation Amendment Act 2018*, the *NSW Generations Funds Act 2018* and the *Snowy Hydro Legacy Fund Act 2018*.

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Appropriation Act 2018*.

2 Commencement

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

3 Interpretation

In this Act:

- (a) a reference to *services* for which this Act makes an appropriation includes a reference to the following:
 - (i) recurrent services,
 - (ii) capital works and services,
 - (iii) repayment of debt, and
- (b) a reference to the year 2018–19 is a reference to the year from 1 July 2018 to 30 June 2019.

Part 2 Appropriation (Departments)

Note. The total amount appropriated out of the Consolidated Fund for services for the year 2018–19 in accordance with this Part is \$80,113,030,000.

Division 1 Education

4 Department of Education

This Act appropriates the sum of \$14,838,776,000 to the Minister for Education out of the Consolidated Fund for the services of the Department of Education for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Educational foundations for success	15,048,248	1,611,924
02	Best start in life for young children	474,279	—
03	Empowering Aboriginal communities	38,255	—
04	Cluster grants	126,297	—

Division 2 Family and Community Services

5 Department of Family and Community Services

This Act appropriates the sum of \$6,147,395,000 to the Minister for Family and Community Services out of the Consolidated Fund for the services of the Department of Family and Community Services for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	People with disability live independently	2,991,666	36,499
02	Ongoing support for vulnerable people	1,986,592	14,971
03	Protecting vulnerable people from harm	1,231,231	16,332
04	Enabling families to live independently	296,554	783
05	Cluster grants	15,840	—

Division 3 Finance, Services and Innovation

6 Department of Finance, Services and Innovation

This Act appropriates the sum of \$1,116,500,000 to the Minister for Finance, Services and Property out of the Consolidated Fund for the services of the Department of Finance, Services and Innovation for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Fair and efficient administration of State revenues	367,643	45,457
02 Competitive, fair and secure markets	357,495	42,535
03 Digital leadership and innovation in government services	165,624	31,224
04 Efficient and effective utilisation of government property assets	163,440	13,981
05 Optimal administration of government services	105,589	12,505
06 Improved customer satisfaction with government services	10,516	—
07 Cluster grants and other adjustments	639,768	—

Division 4 Health

7 Ministry of Health

This Act appropriates the sum of \$13,143,374,000 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2018–19.

Note: The appropriations under this section and section 16 will fund services, disaggregated across State outcomes as follows:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Improved service in hospitals	19,193,092	2,060,217
02 Mentally healthy communities	2,010,902	45,593
03 Healthy, resilient communities	1,595,603	45,925
04 World class research and innovation	104,155	11,000
05 Cluster grants	28,377	—

Division 5 Industry

8 Department of Industry

This Act appropriates the sum of \$3,231,727,000 to the Minister for Primary Industries out of the Consolidated Fund for the services of the Department of Industry for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Sustainable use and access to natural resources	472,405	61,157
02	Skilled and employable workforce	402,312	—
03	Productive primary industries	318,419	24,962
04	Sustaining the conditions for economic development	289,315	2,687
05	Safe and secure resources and agricultural output	215,716	6,912
06	Increasing jobs and investment in NSW	152,263	700
07	Cluster grants and other adjustments	1,714,799	—

Division 6 Justice

9 Department of Justice

This Act appropriates the sum of \$8,030,175,000 to the Attorney General out of the Consolidated Fund for the services of the Department of Justice for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Breaking the cycle of reoffending	1,967,153	897,486
02	Effective and efficient resolution of legal disputes	587,076	16,094
03	Maintain rights and records	448,533	30,822
04	Resilient to disasters and emergencies	161,192	—
05	Cluster grants	4,866,067	—

Division 7 Planning and Environment

10 Department of Planning and Environment

This Act appropriates the sum of \$2,538,126,000 to the Minister for Planning out of the Consolidated Fund for the services of the Department of Planning and Environment for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Energy and water security	517,074	—
02	Create a strong and vibrant NSW	510,289	37,402
03	Excellence in arts, screen and culture	211,406	357,188
04	Sustainable, regulated use and access to geological resources	117,561	667
05	Valued and protected environment and heritage	93,302	3,510
06	Cluster grants	1,223,550	—

Division 8 Premier and Cabinet

11 Department of Premier and Cabinet

This Act appropriates the sum of \$391,892,000 to the Premier out of the Consolidated Fund for the services of the Department of Premier and Cabinet for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Effective and coordinated government	254,886	9,575
02	Accountable and responsible government	2,657	—
03	Cluster grants	164,598	—

Division 9 Transport

12 Transport for NSW

- (1) This Act appropriates the sum of \$11,317,874,000 to the Minister for Transport and Infrastructure out of the Consolidated Fund for the services of Transport for NSW for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Safe and reliable travel	3,073,760	297,861
02	Accessible transport	480,658	41,718
03	Future-ready transport	47,459	698,095
04	Successful places	11,603	136,658
05	Cluster grants, personnel services and other adjustments	15,159,431	—

- (2) A reference in this section to Transport for NSW includes a reference to the Department of Transport.

Division 10 Treasury

13 The Treasury

This Act appropriates the sum of \$128,839,000 to the Treasurer out of the Consolidated Fund for the services of The Treasury for the year 2018–19.

Note: The appropriation will fund services, disaggregated across State outcomes as follows:

		Expenses \$,000	Capital expenditure \$,000
01	Strong and sustainable fiscal position	104,936	11,046
02	Effective capital and balance sheet management	16,981	—
03	Fair and supportive workplaces	13,469	—

14 Crown Finance Entity

This Act appropriates the sum of \$19,108,352,000 to the Treasurer out of the Consolidated Fund for the services of the Crown Finance Entity for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses \$,000	Capital expenditure \$,000
01	Effective capital and balance sheet management	9,852,821	—

15 Advance to the Treasurer

This Act appropriates the sum of \$120,000,000 to the Treasurer out of the Consolidated Fund for the services of the Advance to the Treasurer for the year 2018–19.

Part 3 Additional appropriation for health related services

16 Special appropriation to Minister for Health—additional revenue from gaming machine taxes

- (1) This Act appropriates the sum of \$371,600,507 to the Minister for Health out of the Consolidated Fund for the services of the Ministry of Health for the year 2018–19.
- (2) The sum appropriated is in addition to any other sum appropriated by this Act.

Part 4 Appropriation (Special Offices)

Note. The total amount appropriated out of the Consolidated Fund for services for the year 2018–19 in accordance with this Part is \$442,642,000.

17 Judicial Commission of New South Wales

This Act appropriates the sum of \$5,503,000 to the Attorney General out of the Consolidated Fund for the services of the Judicial Commission of New South Wales for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Effective and efficient resolution of legal disputes	6,789	150

18 Office of the Director of Public Prosecutions

This Act appropriates the sum of \$125,546,000 to the Attorney General out of the Consolidated Fund for the services of the Office of the Director of Public Prosecutions for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Effective and efficient resolution of legal disputes	161,510	5,278

19 Office of the Children's Guardian

This Act appropriates the sum of \$19,710,000 to the Minister for Family and Community Services out of the Consolidated Fund for the services of the Office of the Children's Guardian for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Ongoing support for vulnerable people	41,058	189

20 Independent Commission Against Corruption

This Act appropriates the sum of \$25,617,000 to the Premier out of the Consolidated Fund for the services of the Independent Commission Against Corruption for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

	Expenses	Capital expenditure
	\$,000	\$,000
01 Accountable and responsible government	27,010	944

21 Independent Pricing and Regulatory Tribunal

This Act appropriates the sum of \$27,850,000 to the Premier out of the Consolidated Fund for the services of the Independent Pricing and Regulatory Tribunal for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses \$,000	Capital expenditure \$,000
01	Accountable and responsible government	32,125	892

22 Law Enforcement Conduct Commission

This Act appropriates the sum of \$23,554,000 to the Minister for Police out of the Consolidated Fund for the services of the Law Enforcement Conduct Commission for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses \$,000	Capital expenditure \$,000
01	Safer communities	25,334	1,200

23 New South Wales Electoral Commission

This Act appropriates the sum of \$158,699,000 to the Premier out of the Consolidated Fund for the services of the New South Wales Electoral Commission for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses \$,000	Capital expenditure \$,000
01	Accountable and responsible government	142,713	20,766

24 Ombudsman's Office

This Act appropriates the sum of \$27,113,000 to the Premier out of the Consolidated Fund for the services of the Ombudsman's Office for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses \$,000	Capital expenditure \$,000
01	Accountable and responsible government	32,131	806

25 Public Service Commission

This Act appropriates the sum of \$29,050,000 to the Premier out of the Consolidated Fund for the services of the Public Service Commission for the year 2018–19.

Note: The appropriation will fund services for the following State outcome:

		Expenses	Capital expenditure
		\$,000	\$,000
01	Accountable and responsible government	41,540	587

Part 5 Commonwealth transfer payments

26 Appropriation for Commonwealth transfer payments

- (1) This Act appropriates the sum of \$4,059,400,000 to the Treasurer out of the Consolidated Fund, for Commonwealth transfer payments to non-Government schools and local government for services for the year 2018–19.
- (2) The sum appropriated is in addition to any other sum appropriated by this Act.
- (3) The sum appropriated is subject to section 26 of the *Public Finance and Audit Act 1983*.

Part 6 General

27 Variation of authorised payments from Consolidated Fund

- (1) Payment of a sum appropriated by 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*.
- (2) If the exigencies of government so require, the Treasurer may authorise the payment of a sum in excess of the 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 (3)–(5).
- (3) The sum appropriated under Part 3 may only be paid out for the purpose specified in Part 3.
- (4) The sums appropriated under Part 4 may only be paid out for the purposes specified in Part 4.
- (5) The sum appropriated under Part 5 may only be paid out for the purpose specified in Part 5.
- (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 functions of 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 for which an appropriation is made in this Act is transferred on or after the date the Bill for this Act is introduced in the Legislative Assembly because of the determination made before 1 July 2018 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 applied, in accordance with such determination as may be made by the Treasurer, for or towards the service 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 or service to which this section applies.

30 Budget related information

- (1) In this section:
budget related information means:
- (a) notes included in this Act relating to expenses and capital expenditure, and
 - (b) Budget Papers of the Government tabled in Parliament in connection with the Bill for this Act.
- this Act* includes the *Appropriation (Parliament) Act 2018*.
- (2) Budget related information:
- (a) does not form part of this Act, and
 - (b) does not affect the application of any amount appropriated by this Act.

31 Payments authorised on lapse of appropriation

- (1) This section applies only if this Act is assented to after 1 July 2018.
- (2) Any amounts expended for services under section 25 of the *Public Finance and Audit Act 1983* or any Supply Act on or after 1 July 2018 and before the date of assent to this Act for a purpose for which a sum is appropriated by this Act are taken to have been expended out of such of the sums for services set out in this Act, as may be determined by the Treasurer.

[Second reading speech made in—
Legislative Assembly on 19 June 2018
Legislative Council on 21 June 2018]