

2004-2005

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Appropriation Bill (No. 6) 2004-2005

No. , 2005

(Finance and Administration)

**A Bill for an Act to appropriate additional money
out of the Consolidated Revenue Fund for certain
expenditure, and for related purposes**

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1 **A Bill for an Act to appropriate additional money**
2 **out of the Consolidated Revenue Fund for certain**
3 **expenditure, and for related purposes**

4 The Parliament of Australia enacts:

5 **Part 1—Preliminary**
6

7 **1 Short title**

8 This Act may be cited as the *Appropriation Act (No. 6) 2004-2005*.

1 **2 Commencement**

2 This Act commences on the day on which it receives the Royal
3 Assent.

4 **3 Definitions**

5 In this Act, unless the contrary intention appears:

6 ***administered assets and liabilities item*** means an amount set out in
7 Schedule 2 in relation to an entity opposite the heading
8 “Administered Assets and Liabilities”.

9 ***administered item*** means an amount set out in Schedule 2 opposite
10 an outcome of an entity under the heading “New Administered
11 Expenses”.

12 ***Agency*** means any of the following:

- 13 (a) an Agency within the meaning of the *Financial Management*
14 *and Accountability Act 1997*;
15 (b) the High Court.

16 ***Commonwealth authority*** has the same meaning as in the
17 *Commonwealth Authorities and Companies Act 1997*.

18 ***Commonwealth company*** has the same meaning as in the
19 *Commonwealth Authorities and Companies Act 1997*.

20 ***current year*** means the financial year ending on 30 June 2005.

21 ***entity*** means any of the following:

- 22 (a) an Agency;
23 (b) a Commonwealth authority;
24 (c) a Commonwealth company;
25 (d) the Australian National Training Authority.

26 ***expenditure*** means payments for expenses, acquiring assets,
27 making loans or paying liabilities.

28 ***Finance Minister*** means the Minister administering this Act.

29 ***item*** means any of the following:

- 1 (a) a State payment item;
2 (b) an administered item;
3 (c) an administered assets and liabilities item;
4 (d) an other departmental item.

5 **other departmental item** means an amount set out in Schedule 2 in
6 relation to an entity:

- 7 (a) opposite the heading “Equity Injections”; or
8 (b) opposite the heading “Loans”; or
9 (c) opposite the heading “Previous Years’ Outputs”.

10 **Portfolio Additional Estimates Statements** means the Portfolio
11 Additional Estimates Statements that were tabled in the Senate or
12 the House of Representatives in relation to the Bill for the
13 *Appropriation Act (No. 3) 2004-2005* and the Bill for the
14 *Appropriation Act (No. 4) 2004-2005*.

15 **Portfolio Budget Statements** means the Portfolio Budget
16 Statements that were tabled in the Senate or the House of
17 Representatives in relation to the Bill for the *Appropriation Act*
18 *(No. 1) 2004-2005* and the Bill for the *Appropriation Act (No. 2)*
19 *2004-2005*.

20 **Portfolio Supplementary Additional Estimates Statements** means
21 the Portfolio Supplementary Additional Estimates Statements that
22 were tabled in the Senate or the House of Representatives in
23 relation to the Bill for the *Appropriation (Tsunami Financial*
24 *Assistance) Act 2004-2005* and the Bill for the *Appropriation*
25 *(Tsunami Financial Assistance and Australia-Indonesia*
26 *Partnership) Act 2004-2005*.

27 **Portfolio Supplementary Additional Estimates Statements No. 2**
28 means the Portfolio Supplementary Additional Estimates
29 Statements No. 2 that were tabled in the Senate or the House of
30 Representatives in relation to the Bill for this Act and the Bill for
31 the *Appropriation Act (No. 5) 2004-2005*.

32 **Special Account** has the same meaning as in the *Financial*
33 *Management and Accountability Act 1997*.

Section 4

1 **State** includes the Australian Capital Territory and the Northern
2 Territory.

3 **State payment item** means an amount set out in Schedule 2
4 opposite an outcome of an entity under the heading “Specific
5 Payments to the States and Territories”.

6 **4 Portfolio Budget Statements etc.**

7 (1) The Portfolio Budget Statements, Portfolio Additional Estimates
8 Statements, Portfolio Supplementary Additional Estimates
9 Statements and Portfolio Supplementary Additional Estimates
10 Statements No. 2 are hereby declared to be relevant documents for
11 the purposes of section 15AB of the *Acts Interpretation Act 1901*.

12 Note: See paragraph 15AB(2)(g) of the *Acts Interpretation Act 1901*.

13 (2) If the Portfolio Budget Statements, Portfolio Additional Estimates
14 Statements, Portfolio Supplementary Additional Estimates
15 Statements or Portfolio Supplementary Additional Estimates
16 Statements No. 2 indicate that activities of a particular kind were
17 intended to be treated as activities in respect of a particular
18 outcome, then expenditure for the purpose of carrying out those
19 activities is taken to be expenditure for the purpose of contributing
20 to achieving the outcome.

21 **5 Notional payments, receipts etc.**

22 For the purposes of this Act, notional transactions between
23 Agencies are to be treated as if they were real transactions.

24 Note: This section applies, for example, to a “payment” between Agencies
25 that are both part of the Commonwealth. One of the effects of this
26 section is that the payment will be debited from an appropriation for
27 the paying Agency, even though no payment is actually made from the
28 Consolidated Revenue Fund.

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Part 2—Basic appropriations

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6 Summary of basic appropriations

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The total of the items specified in Schedule 2 is \$22,709,000.

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Note 1: Items in Schedule 2 can be increased under section 13 of the *Appropriation Act (No. 1) 2004-2005* (as modified by section 10 of the *Appropriation Act (No. 5) 2004-2005*).

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Note 2: See also section 30A of the *Financial Management and Accountability Act 1997*, which provides for adjustment of appropriations to take account of GST.

7 State payment items—basic appropriation

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(1) For a State payment item for an outcome of an entity, the Finance Minister may issue out of the Consolidated Revenue Fund amounts that do not exceed, in total, the lesser of:

(a) the amount specified in the item; and

(b) the amount determined by the Finance Minister in relation to the item, having regard to the expenses incurred by the entity in the current year in relation to the item.

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(2) An amount issued out of the Consolidated Revenue Fund for a State payment item for an outcome of an entity may only be applied for the purpose of making payments to or for the States for the purpose of contributing to achieving that outcome.

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(3) A determination under paragraph (1)(b) is not a legislative instrument.

8 Administered items—basic appropriation

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(1) For an administered item for an outcome of an entity, the Finance Minister may issue out of the Consolidated Revenue Fund amounts that do not exceed, in total, the lesser of:

(a) the amount specified in the item; and

Section 9

1 (b) the amount determined by the Finance Minister in relation to
2 the item, having regard to the expenses incurred by the entity
3 in the current year in relation to the item.

4 (2) An amount issued out of the Consolidated Revenue Fund for an
5 administered item for an outcome of an entity may only be applied
6 for expenditure for the purpose of carrying out activities for the
7 purpose of contributing to achieving that outcome.

8 Note: The acquisition of new administered assets will usually be funded
9 from an administered assets and liabilities item.

10 (3) A determination under paragraph (1)(b) is not a legislative
11 instrument.

12 **9 Administered assets and liabilities items—basic appropriation**

13 (1) For an administered assets and liabilities item for an entity, the
14 Finance Minister may issue out of the Consolidated Revenue Fund
15 amounts that do not exceed, in total, the amount specified in the
16 item.

17 (2) An amount issued out of the Consolidated Revenue Fund for an
18 administered assets and liabilities item for an entity may only be
19 applied for expenditure for the purpose of carrying out activities
20 for the purpose of contributing to achieving any outcome that is
21 specified in relation to the entity:

22 (a) in Schedule 2 to this Act; or

23 (b) in Schedule 1 to the *Appropriation Act (No. 5) 2004-2005*; or

24 (c) in Schedule 1 to the *Appropriation (Tsunami Financial
25 Assistance and Australia-Indonesia Partnership) Act
26 2004-2005*; or

27 (d) in Schedule 1 to the *Appropriation (Tsunami Financial
28 Assistance) Act 2004-2005*; or

29 (e) in Schedule 2 to the *Appropriation Act (No. 4) 2004-2005*; or

30 (f) in Schedule 1 to the *Appropriation Act (No. 3) 2004-2005*; or

31 (g) in Schedule 2 to the *Appropriation Act (No. 2) 2004-2005*; or

32 (h) in Schedule 1 to the *Appropriation Act (No. 1) 2004-2005*.

10 Other departmental items—basic appropriation

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2 (1) For an other departmental item for an entity, the Finance Minister
3 may issue out of the Consolidated Revenue Fund amounts that do
4 not exceed, in total, the amount specified in the item.

5 Note: Generally, the Finance Minister is permitted, but not obliged, to issue
6 the amounts out of the Consolidated Revenue Fund. However,
7 subsection (3) imposes an obligation on the Finance Minister to issue
8 the amounts in certain circumstances.

- 9 (2) An amount issued out of the Consolidated Revenue Fund for an
10 other departmental item may only be applied for the departmental
11 expenditure of the entity.

- 12 (3) If:

13 (a) an Act provides that an entity must be paid amounts that are
14 appropriated by the Parliament for the purposes of the entity;
15 and

16 (b) Schedule 2 contains an other departmental item for that
17 entity;

18 then the Finance Minister, under subsection (1), must issue out of
19 the Consolidated Revenue Fund the full amount specified in the
20 item.

11 Reduction of appropriations upon request

- 21
22 (1) The Finance Minister may, upon written request by a Minister,
23 make a written determination under this section reducing an
24 administered assets and liabilities item or an other departmental
25 item for an entity for which the Minister is responsible by the
26 amount specified in the determination.

- 27 (2) The Finance Minister may, upon written request by the Chief
28 Executive of an entity for which the Finance Minister is
29 responsible, make a written determination under this section
30 reducing an administered assets and liabilities item or an other
31 departmental item for that entity by the amount specified in the
32 determination.

Section 11

- 1 (3) Where a determination is made, the amount specified in the item is
2 taken to have been reduced by the amount specified in the
3 determination.
- 4 (4) However, a determination is of no effect if the determination has
5 not been requested under subsection (1) or (2).
- 6 (5) In addition, a determination reduces an amount specified in the
7 item only to the extent that the amount of the reduction is no
8 greater than the lesser of the following:
9 (a) the amount requested under subsection (1) or (2);
10 (b) the difference between the amount specified in the item and
11 the amount issued out of the Consolidated Revenue Fund by
12 the Finance Minister in respect of that item.
- 13 (6) For the purposes of paragraph (5)(b), an amount is not taken to
14 have been issued by the Finance Minister until the amount is paid
15 out of the Consolidated Revenue Fund.
- 16 (7) To avoid doubt, where a previous determination has been made in
17 relation to an item, the reference in paragraph (5)(b) to the amount
18 specified in the item is taken to be a reference to the amount
19 specified in the item as reduced by that previous determination and
20 any other previous determination.
- 21 (8) To avoid doubt, a determination under this section applies despite
22 any other provision of this Act.
- 23 (9) A determination made under subsection (1) or (2) is a legislative
24 instrument and, despite subsection 44(2) of the *Legislative*
25 *Instruments Act 2003*, section 42 of that Act applies to the
26 determination. However, Part 6 of that Act does not apply to the
27 determination.
- 28 (10) A written request made under subsection (1) or (2) is not a
29 legislative instrument.

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2 **Part 3—Miscellaneous**

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4 **12 Crediting amounts to Special Accounts**

5 If any of the purposes of a Special Account is a purpose that is
6 covered by an item (whether or not the item expressly refers to the
7 Special Account), then amounts may be debited against the
8 appropriation for that item and credited to that Special Account.

9 **13 Conditions etc. applying to State payment items**

- 10 (1) This section applies to any payment made out of money
11 appropriated by a State payment item for an outcome identified in
12 column 2 of the table in Schedule 1.
- 13 (2) The payment:
- 14 (a) must be made on the applicable terms and conditions (if any)
15 for that outcome; and
- 16 (b) must be made in the amounts, and at the times, that are
17 determined in writing by the Minister specified in column 4
18 of the table.
- 19 (3) This section does not, by implication, limit the power of the
20 Commonwealth to:
- 21 (a) apply terms and conditions to non-State payments; or
22 (b) determine the amounts and times of non-State payments.
- 23 (4) A determination under paragraph (2)(b) is not a legislative
24 instrument.
- 25 (5) In this section:
- 26 *applicable terms and conditions*, in relation to an outcome
27 identified in the table in Schedule 1, means terms and conditions
28 from time to time determined (either before or after the
29 commencement of this Act) in writing by the Minister specified in
30 column 3 of the table as being the terms and conditions that apply
31 to payments that are made to or for a State in relation to that

Section 14

1 outcome out of money appropriated by an annual Appropriation
2 Act.

3 *non-State payment* means a payment made out of money that is
4 appropriated by the Parliament (either under this Act or another
5 Act), other than a payment out of money appropriated by a State
6 payment item.

7 (6) A determination of terms and conditions as mentioned in the
8 definition of *applicable terms and conditions* in subsection (5) is
9 not a legislative instrument.

10 **14 Appropriation of the Consolidated Revenue Fund**

11 The Consolidated Revenue Fund is appropriated as necessary for
12 the purposes of this Act.

Schedule 1—Payments to or for the States

Note: See section 13.

Column 1	Column 2	Column 3	Column 4
Agency	Outcome	Minister determining conditions	Minister determining payments
Department of Agriculture, Fisheries and Forestry	More sustainable, competitive and profitable Australian agricultural, food, fisheries and forestry industries	Minister for Agriculture, Fisheries and Forestry	Minister for Agriculture, Fisheries and Forestry
Attorney-General's Department	An equitable and accessible system of federal civil justice	Attorney-General	Attorney-General
Attorney-General's Department	Coordinated federal criminal justice, security and emergency management activity, for a safer Australia.	Attorney-General	Attorney-General
Office of Film and Literature Classification	Australians make informed decisions about films, publications and computer games which they, or those in their care may view, read or play	Attorney-General	Attorney-General
Department of Communications, Information Technology and the Arts	Development of a stronger and internationally competitive Australian sports sector and encouragement of greater participation in sport by all Australians	Minister for Communications, Information Technology and the Arts	Minister for Communications, Information Technology and the Arts
Department of Veterans' Affairs	Eligible veterans, serving and former defence force members, their war widows and widowers and dependants have access to health and other care services that promote and maintain self-sufficiency, well-being and quality of life	Minister for Veterans' Affairs	Minister for Veterans' Affairs
Department of the Environment and Heritage	The environment, especially those aspects that are matters of national environmental significance, is protected and conserved	Minister for the Environment and Heritage	Minister for the Environment and Heritage

Continued

Schedule 1 Payments to or for the States

Column 1	Column 2	Column 3	Column 4
Agency	Outcome	Minister determining conditions	Minister determining payments
Department of Family and Community Services	Families are Strong - Services and assistance that: contribute to children and young people having the best possible start to life; promote healthy family relationships; allow families to adapt to changing economic and social conditions; and encourage families that nurture individuals and take an active part in their community	Minister for Family and Community Services	Minister for Family and Community Services
Department of Family and Community Services	Communities are Strong - Services and assistance that: encourage communities to be self-reliant and to connect with their members; and promote partnerships between business, communities and governments	Minister for Family and Community Services	Minister for Family and Community Services
Department of Family and Community Services	Individuals reach their Potential - Services and assistance that: facilitate people to participate actively in economic and community life, work to their capacity, access a responsive and sustainable safety net and fully develop their capabilities	Minister for Family and Community Services	Minister for Family and Community Services
Department of Health and Ageing	To promote and protect the health of all Australians and minimise the incidence of preventable mortality, illness, injury and disability	Minister for Health and Ageing	Minister for Health and Ageing
Department of Health and Ageing	Access through Medicare to cost-effective medical services, medicines and acute health care for all Australians	Minister for Health and Ageing	Minister for Health and Ageing
Department of Health and Ageing	Support for healthy ageing for older Australians and quality and cost-effective care for frail older people and support for their carers	Minister for Health and Ageing	Minister for Health and Ageing
Department of Health and Ageing	Improved quality, integration and effectiveness of health care	Minister for Health and Ageing	Minister for Health and Ageing
Continued			

Column 1	Column 2	Column 3	Column 4
Agency	Outcome	Minister determining conditions	Minister determining payments
Department of Health and Ageing	Improved health outcomes for Australians living in regional, rural and remote locations.	Minister for Health and Ageing	Minister for Health and Ageing
Department of Immigration and Multicultural and Indigenous Affairs	A society which values Australian citizenship, appreciates cultural diversity and enables migrants to participate equitably	Minister for Immigration and Multicultural and Indigenous Affairs	Minister for Immigration and Multicultural and Indigenous Affairs
Department of Industry, Tourism and Resources	A stronger, sustainable and internationally competitive Australian industry, comprising the manufacturing, resources and services sectors	Minister for Industry, Tourism and Resources	Minister for Industry, Tourism and Resources
Department of Transport and Regional Services	A better transport system for Australia	Minister for Transport and Regional Services	Minister for Transport and Regional Services
Department of Transport and Regional Services	Greater recognition and development opportunities for local, regional and territory communities	Minister for Transport and Regional Services	Minister for Transport and Regional Services
Department of the Treasury	Effective government spending and taxation arrangements	Treasurer	Treasurer
Department of the Treasury	Well functioning markets	Treasurer	Treasurer

Schedule 2—Services for which money is appropriated

Note: See sections 6 and 14.

Abstract

Page Reference	Portfolio	Total \$'000
18	Attorney-General's	4,000
19	Defence	18,119
21	Family and Community Services	21
22	Finance and Administration	569
	Total	22,709

APPROPRIATIONS

Schedule 2 Services for which money is appropriated

SUMMARY

Supplementary Appropriation (bold figures) — 2004-2005
Actual Available Appropriation (italic figures) — 2004-2005

Portfolio	Specific Payments to the States and Territories \$'000	New Administered Expenses \$'000	Non- operating \$'000	Total \$'000
Agriculture, Fisheries and Forestry	-	-	-	-
	<i>390,439</i>	-	<i>5,860</i>	<i>396,299</i>
Attorney-General's	4,000	-	-	4,000
	<i>95,908</i>	-	<i>114,038</i>	<i>209,946</i>
Communications, Information Technology and the Arts	-	-	-	-
	<i>1,125</i>	-	<i>29,292</i>	<i>30,417</i>
Defence	-	-	18,119	18,119
	<i>7,290</i>	-	<i>390,242</i>	<i>397,532</i>
Education, Science and Training	-	-	-	-
	-	-	<i>50,916</i>	<i>50,916</i>
Employment and Workplace Relations	-	-	-	-
	-	-	<i>39,340</i>	<i>39,340</i>
Environment and Heritage	-	-	-	-
	<i>25,638</i>	-	<i>25,900</i>	<i>51,538</i>
Family and Community Services	-	-	21	21
	<i>1,969,892</i>	-	<i>650</i>	<i>1,970,542</i>
Finance and Administration	-	-	569	569
	-	-	<i>269,369</i>	<i>269,369</i>
Foreign Affairs and Trade	-	-	-	-
	-	<i>1,000,830</i>	<i>189,617</i>	<i>1,190,447</i>
Health and Ageing	-	-	-	-
	<i>1,080,299</i>	-	<i>60,644</i>	<i>1,140,943</i>
Immigration and Multicultural and Indigenous Affairs	-	-	-	-
	<i>2,140</i>	-	<i>59,677</i>	<i>61,817</i>
Industry, Tourism and Resources	-	-	-	-
	<i>50,825</i>	-	<i>172,628</i>	<i>223,453</i>
Prime Minister and Cabinet	-	-	-	-
	-	<i>50,000</i>	<i>7,682</i>	<i>57,682</i>
Continued				

SUMMARY

Supplementary Appropriation (bold figures) — 2004-2005
Actual Available Appropriation (italic figures) — 2004-2005

Portfolio	Specific Payments to the States and Territories \$'000	New Administered Expenses \$'000	Non- operating \$'000	Total \$'000
Transport and Regional Services	- <i>155,486</i>	-	- <i>102,192</i>	- <i>257,678</i>
Treasury	- <i>178,458</i>	-	- <i>63,666</i>	- <i>242,124</i>
Total: Bill 6	4,000 <i>3,957,500</i>	- <i>1,050,830</i>	18,709 <i>1,581,713</i>	22,709 <i>6,590,043</i>

Schedule 2 Services for which money is appropriated

ATTORNEY-GENERAL'S PORTFOLIO

Supplementary Appropriation (bold figures) — 2004-2005

Actual Available Appropriation (italic figures) — 2004-2005

Actual Available Appropriation (light figures) — 2003-2004

	Specific Payments to the States and Territories \$'000	New Administered Expenses \$'000	Total \$'000
ATTORNEY-GENERAL'S DEPARTMENT			
Operating			
Outcome 2 -			
Coordinated federal criminal justice, security and emergency management activity, for a safer Australia	4,000	-	4,000
	-	-	-
	-	-	-
Total: Attorney-General's Department	4,000	-	4,000

DEFENCE PORTFOLIO

Supplementary Appropriation (bold figures) — 2004-2005

Actual Available Appropriation (italic figures) — 2004-2005

Actual Available Appropriation (light figures) — 2003-2004

	Specific Payments to the States and Territories	New Administered Expenses	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF DEFENCE			
Non-operating			
Equity Injections			17,300
			<i>375,986</i>
			706,334
Total: Department of Defence			17,300

Schedule 2 Services for which money is appropriated

DEFENCE PORTFOLIO

Supplementary Appropriation (bold figures) — 2004-2005

Actual Available Appropriation (italic figures) — 2004-2005

Actual Available Appropriation (light figures) — 2003-2004

	Specific Payments to the States and Territories	New Administered Expenses	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF VETERANS' AFFAIRS			
Non-operating			
Equity Injections			819
			<i>857</i>
			8,006
Total: Department of Veterans' Affairs			819

FAMILY AND COMMUNITY SERVICES PORTFOLIO

Supplementary Appropriation (bold figures) — 2004-2005

Actual Available Appropriation (italic figures) — 2004-2005

Actual Available Appropriation (light figures) — 2003-2004

	Specific Payments to the States and Territories \$'000	New Administered Expenses \$'000	Total \$'000
AUSTRALIAN INSTITUTE OF FAMILY STUDIES			
Non-operating			
Equity Injections			21
			-
			-
Total: Australian Institute of Family Studies			21

Schedule 2 Services for which money is appropriated

FINANCE AND ADMINISTRATION PORTFOLIO

Supplementary Appropriation (bold figures) — 2004-2005

Actual Available Appropriation (italic figures) — 2004-2005

Actual Available Appropriation (light figures) — 2003-2004

	Specific Payments to the States and Territories	New Administered Expenses	Total
	\$'000	\$'000	\$'000
HEALTH INSURANCE COMMISSION			
Non-operating			
Equity Injections			569
			<i>19,409</i>
			<i>34,197</i>
Total: Health Insurance Commission			569
