

2002-2003-2004

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Appropriation (Parliamentary
Departments) Bill (No. 1) 2004-2005**

No. , 2004

(Finance and Administration)

**A Bill for an Act to appropriate money out of the
Consolidated Revenue Fund for expenditure in
relation to the Parliamentary Departments, and for
related purposes**

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1 **A Bill for an Act to appropriate money out of the**
2 **Consolidated Revenue Fund for expenditure in**
3 **relation to the Parliamentary Departments, and for**
4 **related purposes**

5 The Parliament of Australia enacts:

6 **Part 1—Preliminary**
7

8 **1 Short title**

9 This Act may be cited as the *Appropriation (Parliamentary*
10 *Departments) Act (No. 1) 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 1 in relation to a Parliamentary Department opposite the
8 heading “Administered Assets and Liabilities”.

9 ***administered item*** means an amount set out in Schedule 1 opposite
10 an outcome of a Parliamentary Department under the heading
11 “Administered Expenses”.

12 ***Agency*** has the same meaning as in the *Financial Management and*
13 *Accountability Act 1997*.

14 Note: Each Parliamentary Department is an Agency for the purposes of the
15 *Financial Management and Accountability Act 1997*.

16 ***Chief Executive*** has the same meaning as in the *Financial*
17 *Management and Accountability Act 1997*.

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

19 ***departmental item*** means the total amount set out in Schedule 1 in
20 relation to a Parliamentary Department under the heading
21 “Departmental Outputs”.

22 Note: The amounts set out opposite outcomes, under the heading
23 “Departmental Outputs”, are “notional”. They are not part of the item,
24 and do not in any way restrict the scope of the expenditure authorised
25 by the item.

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:

- 30 (a) a departmental item;
31 (b) an administered item;

- 1 (c) an administered assets and liabilities item;
2 (d) an other departmental item.

3 ***other departmental item*** means an amount set out in Schedule 1 in
4 relation to a Parliamentary Department:

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

8 ***Parliamentary Department*** means any of the following:

- 9 (a) the Department of the Senate;
10 (b) the Department of the House of Representatives;
11 (c) the Department of Parliamentary Services.

12 ***Portfolio Budget Statements*** means the Portfolio Budget
13 Statements that were tabled in the Senate or the House of
14 Representatives in relation to the Bill for this Act.

15 ***President*** means the President of the Senate.

16 ***responsible Presiding Officer*** means:

- 17 (a) in relation to the Department of the Senate—the President; or
18 (b) in relation to the Department of the House of
19 Representatives—the Speaker; or
20 (c) in relation to the Department of Parliamentary Services—the
21 President and the Speaker together.

22 ***section 31 agreement*** means an agreement under section 31 of the
23 *Financial Management and Accountability Act 1997*.

24 ***Speaker*** means the Speaker of the House of Representatives.

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

27 **4 Portfolio Budget Statements**

- 28 (1) The Portfolio Budget Statements are hereby declared to be relevant
29 documents for the purposes of section 15AB of the *Acts*
30 *Interpretation Act 1901*.

Part 1 Preliminary

Section 5

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

2 (2) If the Portfolio Budget Statements indicate that activities of a
3 particular kind were intended to be treated as activities in respect
4 of a particular outcome, then expenditure for the purpose of
5 carrying out those activities is taken to be expenditure for the
6 purpose of contributing to achieving the outcome.

7 **5 Notional payments, receipts etc.**

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

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

Part 2—Basic appropriations

6 Summary of basic appropriations

The total of the items specified in Schedule 1 is \$178,663,000.

Note 1: Items in Schedule 1 can be increased under Part 3 of this Act.

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 Departmental items—basic appropriation

- (1) For a departmental item for a Parliamentary Department, the Finance Minister may issue out of the Consolidated Revenue Fund amounts that do not exceed, in total, the amount specified in the item.

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

- (2) An amount issued out of the Consolidated Revenue Fund for a departmental item for a Parliamentary Department may only be applied for the departmental expenditure of the Parliamentary Department.

Note: The acquisition of *new* departmental assets will usually be funded from an other departmental item.

- (3) If a departmental item for a Parliamentary Department includes provision for payment of remuneration and allowances to the holder of:

- (a) a public office (within the meaning of the *Remuneration Tribunal Act 1973*); or
- (b) an office specified in a Schedule to the *Remuneration and Allowances Act 1990*;

then the Finance Minister, under subsection (1), must issue out of the Consolidated Revenue Fund, under that item, amounts that are

Section 8

1 sufficient to pay the remuneration and allowances and must apply
2 the amounts for that purpose.

3 **8 Administered items—basic appropriation**

- 4 (1) For an administered item for an outcome of a Parliamentary
5 Department, the Finance Minister may issue out of the
6 Consolidated Revenue Fund amounts that do not exceed, in total,
7 the lesser of:
8 (a) the amount specified in the item; and
9 (b) the amount determined by the Finance Minister in relation to
10 the item, having regard to the expenses incurred by the
11 Parliamentary Department in the current year in relation to
12 the item.
- 13 (2) An amount issued out of the Consolidated Revenue Fund for an
14 administered item for an outcome of a Parliamentary Department
15 may only be applied for expenditure for the purpose of carrying out
16 activities for the purpose of contributing to achieving that outcome.

17 Note: The acquisition of *new* administered assets will usually be funded
18 from an administered assets and liabilities item.

19 **9 Administered assets and liabilities items—basic appropriation**

- 20 (1) For an administered assets and liabilities item for a Parliamentary
21 Department, the Finance Minister may issue out of the
22 Consolidated Revenue Fund amounts that do not exceed, in total,
23 the amount specified in the item.
- 24 (2) An amount issued out of the Consolidated Revenue Fund for an
25 administered assets and liabilities item for a Parliamentary
26 Department may only be applied for expenditure for the purpose of
27 carrying out activities for the purpose of contributing to achieving
28 any outcome that is specified in Schedule 1 in relation to the
29 Parliamentary Department.

30 **10 Other departmental items—basic appropriation**

- 31 (1) For an other departmental item for a Parliamentary Department, the
32 Finance Minister may issue out of the Consolidated Revenue Fund

1 amounts that do not exceed, in total, the amount specified in the
2 item.

3 (2) An amount issued out of the Consolidated Revenue Fund for an
4 other departmental item for a Parliamentary Department may only
5 be applied for the departmental expenditure of the Parliamentary
6 Department.

7 **11 Reduction of appropriations on request**

8 (1) The Finance Minister may, upon written request by the responsible
9 Presiding Officer, make a written determination under this section
10 reducing an administered assets and liabilities item, an other
11 departmental item or a departmental item for an agency by the
12 amount specified in the determination.

13 (2) Where a determination is made, the amount specified in the item is
14 taken to have been reduced by the amount specified in the
15 determination.

16 (3) However, a determination is of no effect if the determination has
17 not been requested under subsection (1).

18 (4) In addition, a determination reduces an amount specified in the
19 item only to the extent that the amount of the reduction is no
20 greater than the lesser of the following:

21 (a) the amount requested under subsection (1);

22 (b) the difference between the amount specified in the item and
23 the amount issued out of the Consolidated Revenue Fund by
24 the Finance Minister in respect of that item.

25 (5) For the purposes of paragraph (4)(b), an amount is not taken to
26 have been issued by the Finance Minister until the amount is paid
27 out of the Consolidated Revenue Fund.

28 (6) To avoid doubt, where a previous determination has been made in
29 relation to an item, the reference in paragraph (4)(b) to the amount
30 specified in the item is taken to be a reference to the amount
31 specified in the item as reduced by that previous determination and
32 any other previous determination.

Part 2 Basic appropriations

Section 11

- 1 (7) To avoid doubt, a determination under this section applies despite
2 any other provision of this Act.
- 3 (8) A determination under this section is a disallowable instrument for
4 the purposes of section 46A of the *Acts Interpretation Act 1901*.

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2 **Part 3—Additions to basic appropriations**

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4 **12 Net appropriations**

- 5 (1) If a section 31 agreement applies to a departmental item, then the
- 6 amount specified in the item is taken to be increased in accordance
- 7 with the agreement, and on the conditions set out in the agreement.
- 8 The increase cannot be more than the relevant receipts covered by
- 9 the agreement.
- 10 (2) For the purposes of section 31 of the *Financial Management and*
- 11 *Accountability Act 1997*, each departmental item is taken to be
- 12 marked “net appropriation”.

13 **13 Departmental items and other departmental items—adjustments**

14 **and borrowings**

- 15 (1) The responsible Presiding Officer may determine that the amount
- 16 specified in a departmental item or in an other departmental item is
- 17 to be increased by an amount specified in the determination.
- 18 (2) The total of the amounts determined under this section for the
- 19 Department of the Senate cannot be more than \$200,000.
- 20 (3) The total of the amounts determined under this section for the
- 21 Department of the House of Representatives cannot be more than
- 22 \$200,000.
- 23 (4) The total of the amounts determined under this section for the
- 24 Department of Parliamentary Services cannot be more than
- 25 \$200,000.
- 26 (5) The responsible Presiding Officer must give the Parliament details
- 27 of amounts determined under this section.

Section 14

1 **14 Advance to the responsible Presiding Officer—unforeseen**
2 **expenditure etc.**

- 3 (1) This section applies if the responsible Presiding Officer is satisfied
4 that:
- 5 (a) there is an urgent need for expenditure that is not provided
6 for, or is insufficiently provided for, in Schedule 1; and
 - 7 (b) the additional expenditure is not provided for, or is
8 insufficiently provided for, in Schedule 1:
 - 9 (i) because of an erroneous omission or understatement; or
 - 10 (ii) because the additional expenditure was unforeseen until
11 after the last day on which it was practicable to provide
12 for it in the Bill for this Act before that Bill was
13 introduced into the House of Representatives.
- 14 (2) This Act has effect as if Schedule 1 were amended, in accordance
15 with a determination of the responsible Presiding Officer, to make
16 provision for so much (if any) of the additional expenditure as the
17 responsible Presiding Officer determines.
- 18 (3) The total of the amounts determined under this section for the
19 Department of the Senate cannot be more than \$300,000.
- 20 (4) The total of the amounts determined under this section for the
21 Department of the House of Representatives cannot be more than
22 \$300,000.
- 23 (5) The total of the amounts determined under this section for the
24 Department of Parliamentary Services cannot be more than \$1
25 million.
- 26 (6) The responsible Presiding Officer must give the Parliament details
27 of amounts determined under this section.

28 **15 Comcover receipts**

- 29 (1) This section applies whenever an amount (the *Comcover payment*)
30 is debited from The Comcover Account in respect of a payment to
31 a Parliamentary Department.

32 Note: The Comcover Account is a Special Account for the purposes of the
33 *Financial Management and Accountability Act 1997*.

- 1 (2) Amounts totalling the full amount of the Comcover payment must
2 be added to an item or items for the Parliamentary Department.
- 3 (3) The items and respective amounts are to be determined by the
4 responsible Presiding Officer. In making a determination, the
5 responsible Presiding Officer must comply with any written
6 directions given by the Finance Minister.
- 7 (4) The responsible Presiding Officer may delegate his or her powers
8 under this section to the Chief Executive of the Parliamentary
9 Department.

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Part 4—Miscellaneous

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16 Crediting amounts to Special Accounts

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

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17 Appropriation of the Consolidated Revenue Fund

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

Schedule 1—Services for which money is appropriated

Note: See sections 6 and 17.

Abstract

Page Reference	Departments and Services	Total \$'000
16	Senate	30,827
17	House of Representatives	32,312
18	Department of Parliamentary Services	115,524
Total		178,663

APPROPRIATIONS

SUMMARY

Appropriation (plain figures)—2004-2005
Actual Available Appropriation (italic figures)—2003-2004

Agency	Departmental Outputs \$'000	Administered Expenses \$'000	Non- operating \$'000	Total \$'000
Senate	29,437 <i>30,312</i>	1,390 <i>1,298</i>	- -	30,827 <i>31,610</i>
House of Representatives	31,100 <i>31,685</i>	1,212 <i>1,198</i>	- -	32,312 <i>32,883</i>
Joint House Department	- <i>34,248</i>	- <i>6,654</i>	- -	- <i>40,902</i>
Parliamentary Library	- <i>13,040</i>	- -	- -	- <i>13,040</i>
Department of Parliamentary Services	93,224 <i>28,622</i>	10,600 <i>4,000</i>	11,700 -	115,524 <i>32,622</i>
Parliamentary Reporting Staff	- <i>16,613</i>	- -	- -	- <i>16,613</i>
Total: Parliamentary Departments	153,761 <i>154,520</i>	13,202 <i>13,150</i>	11,700 -	178,663 <i>167,670</i>

Schedule 1 Services for which money is appropriated

SENATE

Appropriation (plain figures)—2004-2005
Actual Available Appropriation (italic figures)—2003-2004

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
SENATE			
Operating			
Outcome 1 -			
Effective provision of services to support the functioning of the Senate as a House of the Commonwealth Parliament	29,437 <i>30,312</i>	1,390 <i>1,298</i>	30,827 <i>31,610</i>
Total: Senate	29,437 <i>30,312</i>	1,390 <i>1,298</i>	30,827 <i>31,610</i>

HOUSE OF REPRESENTATIVES

Appropriation (plain figures)—2004-2005
Actual Available Appropriation (italic figures)—2003-2004

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
HOUSE OF REPRESENTATIVES			
Operating			
Outcome 1 -			
The House of Representatives fulfils its role as a representative and legislative body	31,100 <i>31,685</i>	1,212 <i>1,198</i>	32,312 <i>32,883</i>
Total: House of Representatives	31,100 <i>31,685</i>	1,212 <i>1,198</i>	32,312 <i>32,883</i>

Schedule 1 Services for which money is appropriated

DEPARTMENT OF PARLIAMENTARY SERVICES

Appropriation (plain figures)—2004-2005
Actual Available Appropriation (italic figures)—2003-2004

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
DEPARTMENT OF PARLIAMENTARY SERVICES			
Operating			
Outcome 1 -			
Occupants of Parliament House are supported by integrated services and facilities, Parliament functions effectively and its work and building are accessible to the public	93,224 <i>28,622</i>	10,600 <i>4,000</i>	103,824 <i>32,622</i>
Total: Operating	93,224 <i>28,622</i>	10,600 <i>4,000</i>	103,824 <i>32,622</i>
Non-operating			
Administered Assets and Liabilities			11,700 -
Total: Non-operating			11,700 -
Total: Department of Parliamentary Services			115,524 <i>32,622</i>

