A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government in relation to regional telecommunications services, and for related purposes
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i  Appropriation (Regional Telecommunications Services) Bill 2005-2006  No. , 2005
A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government in relation to regional telecommunications services, and for related purposes

The Parliament of Australia enacts:

Part 1—Preliminary

1 Short title

This Act may be cited as the Appropriation (Regional Telecommunications Services) Act 2005-2006.
Part 1 Preliminary

Section 2

2 Commencement

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

3 Definitions

In this Act:

administered item means an amount set out in Schedule 1 opposite an outcome of an entity under the heading “Administered Expenses”.

Agency means any of the following:
(a) an Agency within the meaning of the Financial Management and Accountability Act 1997;
(b) the High Court.

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

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

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

current year means the financial year ending on 30 June 2006.

departmental item means the total amount set out in Schedule 1 in relation to an entity under the heading “Departmental Outputs”.

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

entity means any of the following:
(a) an Agency;
(b) a Commonwealth authority;
(c) a Commonwealth company;
(d) the Australian National Training Authority.
expenditure means payments for expenses, acquiring assets,
making loans or paying liabilities.

Finance Minister means the Minister administering this Act.

item means an administered item or a departmental item.

Portfolio Budget Statements means the Portfolio Budget
Statements that were tabled in the Senate or the House of
Representatives in relation to the Bill for the Appropriation Act
(No. 1) 2005-2006 and the Bill for the Appropriation Act (No. 2)

Portfolio Supplementary Estimates Statements means the
Portfolio Supplementary Estimates Statements that were tabled in
the Senate or the House of Representatives in relation to the Bill
for this Act.

section 31 agreement means an agreement under section 31 of the

Special Account has the same meaning as in the Financial

4 Portfolio Budget Statements and Portfolio Supplementary
Estimates Statements

(1) The Portfolio Budget Statements and Portfolio Supplementary
Estimates Statements are hereby declared to be relevant documents
for the purposes of section 15AB of the Acts Interpretation Act
1901.

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

(2) If the Portfolio Budget Statements or Portfolio Supplementary
Estimates Statements indicate that activities of a particular kind
were intended to be treated as activities in respect of a particular
outcome, then expenditure for the purpose of carrying out those
activities is taken to be expenditure for the purpose of contributing
to achieving the outcome.
5 Notional payments, receipts etc.

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

Note: This section applies, for example, to a “payment” between Agencies that are both part of the Commonwealth. One of the effects of this section is that the payment will be debited from an appropriation for the paying Agency, even though no payment is actually made from the Consolidated Revenue Fund.
Part 2—Basic appropriations

6 Summary of basic appropriations

The total of the items specified in Schedule 1 is $219,218,000.

Note 1: Items in Schedule 1 can be increased under Part 3 of this Act and under section 13 of the Appropriation Act (No. 1) 2005-2006 (as modified by section 11 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 an entity, 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, subsections (3) and (4) impose 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 an entity may only be applied for the departmental expenditure of the entity.

Note: The acquisition of new departmental assets will usually be funded from another departmental item (in another Appropriation Act).

(3) If:

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

(b) Schedule 1 contains a departmental item for that entity;

then the Finance Minister, under subsection (1), must issue out of the Consolidated Revenue Fund the full amount specified in the item.
Part 2  Basic appropriations

Section 8

(4) If a departmental item for an Agency 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 sufficient to pay the remuneration and allowances and must apply the amounts for that purpose.

8 Administered items—basic appropriation

(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
   (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.

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

Note: The acquisition of new administered assets will usually be funded from an administered assets and liabilities item (in another Appropriation Act).

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

9 Reduction of appropriations upon request

(1) The Finance Minister may, upon written request by a Minister, make a written determination under this section reducing a departmental item for an entity for which the Minister is responsible by the amount specified in the determination.
Basic appropriations  Part 2

Section 9

(2) The Finance Minister may, upon written request by the Chief Executive of an entity for which the Finance Minister is responsible, make a written determination under this section reducing a departmental item for that entity by the amount specified in the determination.

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

(4) However, a determination is of no effect if the determination has not been requested under subsection (1) or (2).

(5) In addition, a determination reduces an amount specified in the item only to the extent that the amount of the reduction is no greater than the lesser of the following:
   (a) the amount requested under subsection (1) or (2);
   (b) the difference between the amount specified in the item and the amount issued out of the Consolidated Revenue Fund by the Finance Minister in respect of that item.

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

(7) To avoid doubt, where a previous determination has been made in relation to an item, the reference in paragraph (5)(b) to the amount specified in the item is taken to be a reference to the amount specified in the item as reduced by that previous determination and any other previous determination.

(8) To avoid doubt, a determination under this section applies despite any other provision of this Act.

(9) A determination made under subsection (1) or (2) is a legislative instrument and, despite subsection 44(2) of the Legislative Instruments Act 2003, section 42 of that Act applies to the determination. However, Part 6 of that Act does not apply to the determination.

(10) A written request made under subsection (1) or (2) is not a legislative instrument.
Part 3—Additions to basic appropriations

Section 10

10 Net appropriations

(1) If a section 31 agreement applies to a departmental item, then the amount specified in the item is taken to be increased in accordance with the agreement, and on the conditions set out in the agreement. The increase cannot be more than the relevant receipts covered by the agreement.

(2) For the purposes of section 31 of the Financial Management and Accountability Act 1997, each departmental item is taken to be marked “net appropriation”.

11 Comcover receipts

After the commencement of this Act, section 13 of the Appropriation Act (No. 1) 2005-2006 has effect as if the reference to an available item included a reference to an item in Schedule 1 to this Act.

Note: Section 13 of the Appropriation Act (No. 1) 2005-2006 provides for amounts to be added to available items for an Agency in respect of Comcover payments to the Agency.
Part 4—Miscellaneous

12 Crediting amounts to Special Accounts

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.

13 Appropriation of the Consolidated Revenue Fund

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 13.

Abstract

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Services for which money is appropriated  Schedule 1

__________________________________________________________

APPROPRIATIONS

__________________________________________________________

Appropriation (Regional Telecommunications Services) Bill 2005-2006  No. 11, 2005
### Summary

**Supplementary Appropriation (bold figures) — 2005-2006**

*Budget Appropriation (italic figures) — 2005-2006*

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Continued
### SUMMARY

Supplementary Appropriation (bold figures) — 2005-2006  
Budget Appropriation (italic figures) — 2005-2006

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Appropriation (Regional Telecommunications Services) Bill 2005-2006 No. 13, 2005
## COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS PORTFOLIO

**SUMMARY**

**Supplementary Appropriation (bold figures) — 2005-2006**  
**Budget Appropriation (italic figures) — 2005-2006**

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## COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS PORTFOLIO

**Supplementary Appropriation (bold figures) — 2005-2006**  
**Budget Appropriation (italic figures) — 2005-2006**  
**Actual Available Appropriation (light figures) — 2004-2005**

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### DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

#### Outcome 3 -
Development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry

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**Total: Department of Communications, Information Technology and the Arts**

|            | $3,459           | $215,759     | $219,218|

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Appropriation (Regional Telecommunications Services) Bill 2005-2006 No. 15, 2005